otherwise made available under this Act may be provided to any State in which the governor of such State has been found, by the relevant State or Federal authorities, to have sexually harassed employees while holding the position of governor.

SA 2356. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2059, between lines 9 and 10, insert the following:

(C) PRIORITY FOR PROJECTS THAT USE COMPONENTS FROM DOMESTICALLY MANUFACTURED SOURCES.—In addition to the prioritization required under subparagraph (A), an eligible entity, in awarding subgrants for the deployment of a broadband network using grant funds received under this section, as authorized under subsection (f)(1), shall give priority to projects that incorporate broadband componentry, including radio frequency integrated circuits, from domestically manufactured sources.

SA 2357. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408___. FOREST SERVICE HIRE AUTHORITY.

Section 12518 of the Agriculture Improvement Act of 2018 (16 U.S.C. 1725b) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking the period at the end and inserting a semicolon;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by striking ''Land'' and inserting ''Lands''; and

(ii) by striking ''applies to a former resource assistant'' and inserting the following: ''applies to—

''(1) a former resource assistant''; and

(D) by adding at the end the following:

''(2) except as provided in paragraph (1), a former participant in the Public Lands Corps program established by section 204 of the Public Lands Corps Act of 1993 (16 U.S.C. 1723) who—

''(A) successfully fulfilled the requirements of a qualified candidate and program participation; and

''(B) earned a high school diploma or equivalent diploma of completion, or completed a workforce development training program; and

''(3) a graduate of a Civilian Conservation Center program described in section 147(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3197(d)) who successfully completed a training program focused on forestry, wildland firefighting, or another topic relating to the mission of the Forest Service.''; and

(2) in subsection (c)—

(A) by striking the period at the end and inserting a semicolon;

(B) by striking ''date on which the candidate'' and inserting the following: ''date on which—

''(1) in the case of a qualified candidate described in subsection (b)(1), the candidate''; and

(C) by adding at the end the following:

''(2) in the case of a qualified candidate described in subsection (b)(2), the later of—

''(A) the candidate successfully fulfilled the requirements described in subsection (b)(2)(A); or

''(B) the candidate earned a diploma or competed a program described in subsection (b)(2)(B); or

''(3) in the case of a qualified candidate described in subsection (b)(3), the candidate graduated from the Civilian Conservation Center.''.

SA 2358. Ms. ROSEN (for herself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, line 22, insert ''wildfires,'' after ''flooding,''.

SA 2359. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2463, line 13, insert ''notwithstanding any other provision of law, if local matching funds are required for a project for which amounts made available under this paragraph in this Act are provided and the total Federal contribution to the project does not exceed $25,000,000, the local matching funds required for the project may not exceed 10 percent of the total cost of the project: *Provided further*, That'' after ''That''.

SA 2360. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408___. PERMANENT REAUTHORIZATION OF COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM.

Section 4003(f)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking ''for each of fiscal years 2019 through 2023'' and inserting ''for fiscal year 2021 and each fiscal year thereafter''.

SA 2361. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2463, line 12, strike ''$500,000,000,'' and insert ''$1,000,000,000,''.

SA 2362. Mr. WYDEN (for himself, Mrs. MURRAY, Mr. PETERS, Mr. PADILLA, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—STATE AND LOCAL DIGITAL SERVICE

SEC. _____1. SHORT TITLE.

This title may be cited as the ''State and Local Digital Service Act of 2021''.

SEC. _____2. DEFINITIONS.

In this title—

(1) the term ''Administrator'' means the Administrator of General Services;

(2) the term ''digital service agreement'' means a grant awarded or a cooperative agreement or memorandum of agreement entered into under section _____3;

(3) the term ''digital service team'' means a team of employees of an eligible applicant that extends existing software development capacity and directly supports and improves service delivery, focusing on user-centered design and development practices through the use of modern product development techniques, such as—

(A) user research and design;

(B) incremental and iterative outcome driven delivery practices; and

(C) procurement and funding practices for software development that rely on outcome-driven, modular contracts;

(4) the term ''eligible applicant'' means a State, eligible tribal government, or unit of local government, or any instrument thereof;

(5) the term ''eligible tribal government'' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131);

(6) the term ''specialized or technical services'' means statistical and other studies and compilations, development projects, technical tests and evaluations, technical information, training activities, surveys, reports,

documents, products, platforms, and other similar services;

(7) the term ''State'' has the meaning given that term in section 549(a) of title 40, United States Code;

(8) the term ''underserved or disadvantaged community'' means—

(A) a low-income community;

(B) a community of color;

(C) a Tribal community;

(D) a rural community;

(E) aging individuals;

(F) individuals with disabilities;

(G) individuals with a language barrier, including individuals who—

(i) are English learners; or

(ii) have low levels of literacy;

(H) veterans; or

(I) any other community that the Administrator determines is disproportionately vulnerable to, or bears a disproportionate burden of, any combination of economic, social, environmental, or climate stressors; and

(9) the term ''unit of local government'' means a city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

SEC. _____3. DIGITAL SERVICE AGREEMENT.

(a) IN GENERAL.—The Administrator, in consultation with the Administrator of the United States Digital Service, shall establish a Digital Service Agreement Program, under which the Administrator shall award grants to, or enter into cooperative agreements or memoranda of agreements with, eligible applicants in accordance with the requirements of this section for the purpose of planning, establishing, or supporting a digital service team or supporting digital services collaboration between digital service teams to improve the delivery of government assistance through digital services.

(b) DIGITAL SERVICE AGREEMENT CRITERIA.—In considering whether to execute a digital service agreement under this section, the Administrator shall consider—

(1) evidence of significant executive support from the eligible applicant for the establishment of digital service teams and a commitment to modernizing government technology and service delivery;

(2) evidence of the ability and commitment of the eligible applicant to ensure sustainment of digital service teams after the end of the digital services agreement, including financial resources and any administrative changes that may be necessary;

(3) the extent to which the eligible applicant may be able, and is committed, to adopting innovative procurement and service design practices;

(4) whether the eligible applicant would be otherwise unable to establish or support digital service teams without a digital service agreement;

(5) the extent to which the establishment of digital service teams by the eligible applicant is likely to lead to improvements in service delivery related to Federal programs;

(6) to the extent applicable, whether an eligible applicant intends to support a collaborative agreement under subsection (c);

(7) whether the eligible applicant will prioritize the use of more than 50 percent of the amounts received under a digital service agreement for salary and benefits of the members of the digital service team; and

(8) any other criteria determined by the Administrator and included in a notice of funding availability made available in advance to all eligible applicants.

(c) COLLABORATIVE AGREEMENTS.—The Administrator may execute a digital service agreement with 1 or more eligible applicants, in accordance with the criteria established in subsection (b), for the purpose of supporting collaborative service delivery projects across jurisdictional boundaries.

(d) PLANNING SUPPORT.—In addition to the digital service agreement criteria under subsection (b), the Administrator shall, to the greatest extent possible, minimize the burden on eligible applicants in the development of proposals for a digital service agreement, including by providing direct technical assistance to eligible applicants in the preparation applications for digital service agreements.

(e) SUPPLEMENT NOT SUPPLANT.—Any awards made as part of a digital service agreement with an eligible applicant shall supplement, not supplant, other Federal, State, local, or Tribal funds that are available to the eligible applicant to carry out activities described in this section.

(f) LIMITATIONS.—

(1) TERM.—A digital service agreement shall have a term of not longer than 5 years, unless the Administrator determines that a longer term is warranted to ensure significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(2) AMOUNT.—A digital service agreement may not exceed $10,000,000, unless the Administrator determines that a greater amount is likely to provide a significant return on investment or the adoption of innovative practices to meet the requirements of the eligible applicant.

(3) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before the Administrator executes or modifies a digital services agreement that would result in a term in excess of the maximum term specified under paragraph (1) or exceed the maximum amount specified under paragraph (2), the Administrator shall submit to the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and Committee on Oversight and Reform of the House of Representatives notice and an explanation of the reasons for the determinations by the Administrator.

(g) MATCHING REQUIREMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of an activity carried out using amounts received under a digital service agreement for establishing or supporting a digital service team shall be not more than 90 percent.

(2) WAIVER.—Upon application by an eligible applicant, the Administrator may waive the requirement under paragraph (1) if the Administrator determines that the eligible applicant demonstrates financial need.

(h) SET ASIDES.—

(1) IN GENERAL.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator shall reserve not more than 5 percent for the implementation and administration of the program, which shall include—

(A) providing assistance to eligible applicants to prepare applications for digital service agreements in accordance with subsection (d);

(B) upon request of an eligible applicant whose application is successful, providing technical support and assistance to support the execution of a digital services agreement;

(C) assisting eligible applicants in preparing and submitting reports required under section _____4; and

(D) conducting outreach to eligible applicants regarding opportunities to apply for digital service agreements.

(2) ELIGIBLE TRIBAL GOVERNMENTS.—From amounts made available in a fiscal year to carry out the Digital Service Agreement Program under this section, the Administrator is encouraged to use not less than 10 percent for digital service agreements with eligible tribal governments.

(i) CONSULTATION AND PUBLIC ENGAGEMENT.—In carrying out this title, the Administrator shall conduct ongoing collaboration and consultation with—

(1) the Administrator of the United States Digital Service;

(2) State agencies and governors of States (or equivalent officials);

(3) national, State, local, and Tribal organizations that have digital service teams or that have particular experience with providing digital services for underserved or disadvantaged communities;

(4) researchers, academics, and philanthropic organizations;

(5) industry stakeholders that have demonstrated experience in designing, developing, and supporting digital services team and modern technology service delivery projects on behalf of public sector clients; and

(6) other agencies, organizations, entities, and community stakeholders as determined appropriate by the Administrator.

(j) SPENDING LIMITATIONS.—An eligible applicant may use amounts received under a digital service agreement for salaries and benefits of members of a digital service team and other costs related to establishing or ensuring the capacity and continuity of a digital service team.

SEC. _____4. REPORTING AND EVALUATION.

(a) IN GENERAL.—The Administrator shall require quarterly progress reports from eligible applicants awarded or entering into a digital service agreement, and shall make a publicly available dashboard of service delivery metrics, performance measures, and progress under the terms and conditions of any digital service agreements.

(b) REPORTS TO CONGRESS.—The Administrator shall, on an annual basis, submit to the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Reform of the House of Representatives a report on the Digital Service Agreement Program, which shall include the following:

(1) A description of digital service agreements executed under the Digital Service Agreement Program, including the following:

(A) The cost and scope of each digital service agreement, including the type of agreement awarded or entered into and information regarding compliance with the matching requirements under section _____3(g).

(B) The names of each eligible applicant that, as of the date of the report, has a digital services agreement that is in effect, including identifying whether the eligible applicant is an eligible tribal government, a territory of the United States, or an underserved or disadvantaged community.

(C) An analysis of common characteristics regarding the full allocation of digital services agreements in effect.

(D) An accounting of the expenditure of funds received by an eligible applicant under a digital services agreement and the cost to the Federal Government to administer the Digital Services Agreement Program under this title.

(2) Information regarding successes of, failures of, lessons learned by, opportunities for improvement for, or recommendations related to the Digital Service Agreement Program or eligible applicants.

(3) Any additional information determined necessary by the Administrator.

SEC. _____5. STATE USE OF FEDERAL RESOURCES.

(a) GENERAL.—In addition to the authority provided by section _____3, the Administrator may provide an eligible applicant specialized or technical services on a reimbursable or non-reimbursable basis.

(b) PROHIBITION ON FEDERAL MANDATE.—The Administrator may not require, as a condition of a digital service agreement, the use of any Federal service, program, or resources other than as necessary to plan, establish, or support a digital service under this title.

SEC. _____6. AUTHORIZATION OF APPROPRIATIONS.

(a) AGREEMENTS.—There are authorized to be appropriated to the Administrator to carry out this title $100,000,000 for each of fiscal years 2022 through 2028.

(b) AMOUNTS FOR AUDIT AND OVERSIGHT.—There are authorized to be appropriated to the Inspector General of the General Services Administration $1,000,000 for the first fiscal year during which digital service agreements are awarded or entered into, and each of the 7 fiscal years thereafter, for audits and oversight of funds made available to carry out this title.

(c) AVAILABILITY.—Amounts made available pursuant to subsections (a) and (b) shall remain available until expended.

SA 2363. Mr. BENNET (for himself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division D, add the following:

SEC. 408_____. JOINT CHIEFS LANDSCAPE RESTORATION PARTNERSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CHIEFS.—The term ''Chiefs'' means the Chief of the Forest Service and the Chief of the Natural Resources Conservation Service.

(2) ELIGIBLE ACTIVITY.—The term ''eligible activity'' means an activity—

(A) to reduce the risk of wildfire;

(B) to protect water quality and supply; or

(C) to improve wildlife habitat for at-risk species.

(3) PROGRAM.—The term ''program'' means the Joint Chiefs Landscape Restoration Partnership program established under subsection (b)(1).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(5) WILDLAND-URBAN INTERFACE.—The term ''wildland-urban interface'' has the meaning given the term in section 101 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6511).

(b) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary shall establish a Joint Chiefs Landscape Restoration Partnership program to improve the health and resilience of forest landscapes across National Forest System land and State, Tribal, and private land.

(2) ADMINISTRATION.—The Secretary shall administer the program by coordinating eligible activities conducted on National Forest System land and State, Tribal, or private land across a forest landscape to improve the health and resilience of the forest landscape by—

(A) assisting producers and landowners in implementing eligible activities on eligible private or Tribal land using the applicable programs and authorities administered by the Chief of the Natural Resources Conservation Service under title XII of the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), not including the conservation reserve program established under subchapter B of chapter 1 of subtitle D of that title (16 U.S.C. 3831 et seq.); and

(B) conducting eligible activities on National Forest System land or assisting landowners in implementing eligible activities on State, Tribal, or private land using the applicable programs and authorities administered by the Chief of the Forest Service.

(c) SELECTION OF ELIGIBLE ACTIVITIES.—The appropriate Regional Forester and State Conservationist shall jointly submit to the Chiefs on an annual basis proposals for eligible activities under the program.

(d) EVALUATION CRITERIA.—In evaluating and selecting proposals submitted under subsection (c), the Chiefs shall consider—

(1) criteria including whether the proposal—

(A) reduces wildfire risk in a municipal watershed or the wildland-urban interface;

(B) was developed through a collaborative process with participation from diverse stakeholders;

(C) increases forest workforce capacity or forest business infrastructure and development;

(D) leverages existing authorities and non-Federal funding;

(E) provides measurable outcomes; or

(F) supports established State and regional priorities; and

(2) such other criteria relating to the merits of the proposals as the Chiefs determine to be appropriate.

(e) OUTREACH.—The Secretary shall provide—

(1) public notice on the websites of the Forest Service and the Natural Resources Conservation Service describing—

(A) the solicitation of proposals under subsection (c); and

(B) the criteria for selecting proposals in accordance with subsection (d); and

(2) information relating to the program and activities funded under the program to States, Indian Tribes, units of local government, and private landowners.

(f) EXCLUSIONS.—An eligible activity may not be carried out under the program—

(1) in a wilderness area or designated wilderness study area;

(2) in an inventoried roadless area;

(3) on any Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited; or

(4) in an area in which the eligible activity would be inconsistent with the applicable land and resource management plan.

(g) ACCOUNTABILITY.—

(1) INITIAL REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report providing recommendations to Congress relating to the program, including a review of—

(A) funding mechanisms for the program;

(B) staff capacity to carry out the program;

(C) privacy laws applicable to the program;

(D) data collection under the program;

(E) monitoring and outcomes under the program; and

(F) such other matters as the Secretary considers to be appropriate.

(2) ADDITIONAL REPORTS.—For each of fiscal years 2022 and 2023, the Chiefs shall submit to the Committee on Agriculture, Nutrition, and Forestry and the Committee on Appropriations of the Senate and the Committee on Agriculture and the Committee on Appropriations of the House of Representatives a report describing projects for which funding is provided under the program, including the status and outcomes of those projects.

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise available to the Secretary to carry out the program, there is authorized to be appropriated to the Secretary to carry out the program $90,000,000 for each of fiscal years 2022 and 2023.

(2) DURATION OF AVAILABILITY.—Funds made available under paragraph (1) shall remain available until expended.

(3) DISTRIBUTION OF FUNDS.—Of the funds made available under paragraph (1)—

(A) not less than 40 percent shall be allocated to carry out eligible activities through the Natural Resources Conservation Service;

(B) not less than 40 percent shall be allocated to carry out eligible activities through the Forest Service; and

(C) the remaining funds shall be allocated by the Chiefs to the Natural Resources Conservation Service or the Forest Service—

(i) to carry out eligible activities; or

(ii) for other purposes, such as technical assistance, project development, or local capacity building.

SA 2364. Mr. CARDIN (for himself and Mr. CRAMER) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1579, strike line 21 and all that follows through page 1589, line 15, and insert the following:

SEC. 40323. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45U. ZERO-EMISSION NUCLEAR POWER PRODUCTION CREDIT.

''(a) AMOUNT OF CREDIT.—For purposes of section 38, the zero-emission nuclear power production credit for any taxable year is an amount equal to the amount by which—

''(1) the product of—

''(A) 1.5 cents, multiplied by

''(B) the kilowatt hours of electricity—

''(i) produced by the taxpayer at a qualified nuclear power facility, and

''(ii) sold by the taxpayer or an affiliate of the taxpayer to an unrelated person during the taxable year, exceeds

''(2) the reduction amount for such taxable year.

''(b) DEFINITIONS.—

''(1) QUALIFIED NUCLEAR POWER FACILITY.—For purposes of this section, the term 'qualified nuclear power facility' means any nuclear facility—

''(A) which is owned by the taxpayer and which uses nuclear energy to produce electricity, and

''(B) which is not an advanced nuclear power facility, as defined in subsection (d)(1) of section 45J, or which has not received an allocation under subsection (b) of such section.

''(2) REDUCTION AMOUNT.—

''(A) IN GENERAL.—For purposes of this section, the term 'reduction amount' means, with respect to any qualified nuclear power facility for any taxable year, the amount equal to the lesser of—

''(i) the amount determined under subsection (a)(1), or

''(ii) the amount equal to 80 percent of the excess of—

''(I) subject to subparagraph (B), the gross receipts from any electricity produced by such facility and sold to an unrelated person during such taxable year (at rates established or approved by a State or political subdivision thereof, any agency or instrumentality of the United States, or a public service or public utility commission or other similar body of any State or political subdivision thereof, in the case of any property described in section 168(i)(10)), over

''(II) the amount equal to the product of—

''(aa) 2.5 cents, multiplied by

''(bb) the amount determined under subsection (a)(1)(B).

''(B) TREATMENT OF CERTAIN RECEIPTS.—

''(i) IN GENERAL.—The amount determined under subparagraph (A)(ii)(I) shall include any amount received by the taxpayer during the taxable year with respect to the qualified nuclear power facility from a zero-emission credit program unless the amount received by the taxpayer is subject to reduction—

''(I) by the full amount of the credit determined under this section, or

''(II) by any lesser amount if such amount entirely offsets the amount received from a zero-emission credit program.

''(ii) ZERO-EMISSION CREDIT PROGRAM.—For purposes of this subparagraph, the term 'zero-emission credit program' means any State or local government program that provides payments to a qualified nuclear power facility for, in whole or in part, the zero-emission, zero-carbon, or air quality attributes of any portion of the electricity produced by such facility.

''(3) ELECTRICITY.—For purposes of this section (with the exception of subsection (d)(3)), the term 'electricity' means the energy produced by a qualified nuclear power facility from the conversion of nuclear fuel into electric power.

''(c) ELECTION FOR DIRECT PAYMENT.—

''(1) IN GENERAL.—In the case of a taxpayer making an election (at such time and in such manner as the Secretary may provide) under this subsection with respect to any portion of the credit which would (without regard to this subsection) be determined under subsection (a) with respect to such taxpayer, such taxpayer shall be treated as making a payment against the tax imposed by subtitle A for the taxable year equal to the amount of such portion.

''(2) CERTAIN ENTITIES TREATED AS TAXPAYERS.—For purposes of the credit under subsection (a)—

''(A) any State utility with a service obligation, as such terms are defined in section 217 of the Federal Power Act (as in effect on the date of the enactment of this subsection),

''(B) any mutual or cooperative electric company described in section 501(c)(12) or section 1381(a)(2)(C), and

''(C) an Indian tribal government (as defined in section 139E(c)(1)),

shall be treated as a taxpayer, but only if such entity makes the election under this subsection.

''(3) TIMING.—The payment described in paragraph (1) shall be treated as made on the later of the due date of the return of tax for the taxable year or the date on which such return is filed.

''(4) EXCLUSION FROM GROSS INCOME.—Gross income of the taxpayer shall be determined without regard to this subsection.

''(5) DENIAL OF DOUBLE BENEFIT.—Solely for purposes of section 38, in the case of a taxpayer making an election under this subsection, the credit determined under subsection (a) shall be reduced by the amount of the portion of such credit with respect to which the taxpayer makes such election.

''(d) OTHER RULES.—

''(1) INFLATION ADJUSTMENT.—The 1.5 cent amount in subsection (a)(1)(A) and the 2.5 cent amount in subsection (b)(2)(A)(ii)(II)(aa) shall each be adjusted by multiplying such amount by the inflation adjustment factor (as determined under section 45(e)(2) by substituting 'calendar year 2020' for 'calendar year 1992' in subparagraph (B) thereof) for the calendar year in which the sale occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1 cent, such amount shall be rounded to the nearest multiple of 0.1 cent.

''(2) SPECIAL RULES.—Rules similar to the rules of paragraphs (1), (3), (4), and (5) of section 45(e) shall apply for purposes of this section.

''(3) PHASEOUT OF CREDIT.—If the Secretary, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, determines that the annual greenhouse gas emissions from electricity production in the United States for a calendar year are equal to or less than 50 percent of the annual greenhouse gas emissions from electricity production in the United States for calendar year 2020, the amount of the credit determined under the subsection (a) shall be reduced by an amount equal to the product of—

''(A) the amount of credit determined under the subsection (a), as determined before application of this paragraph, multiplied by

''(B) an amount (expressed as a percentage) equal to twice the percentage amount that the percentage determined by the Secretary pursuant to this paragraph exceeds 50 percent.

''(e) RECAPTURE.—

''(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall, by regulations, provide for recapturing the benefit of any credit allowable under subsection (a) for any taxable year if the Secretary determines that—

''(A) any contractor or subcontractor has failed to pay a laborer or mechanic employed by the contractor or subcontractor in the performance of any construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility during such taxable year wages at rates not less than the rates prevailing on projects of a similar character in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code,

''(B) any such contractor or subcontractor has failed to make the records required under paragraph (2) available to the Secretary for the purposes described in such paragraph, or

''(C) any contractor or subcontractor has failed to satisfy the requirements under subsection (f) during such taxable year.

''(2) INVESTIGATION.—Upon receipt of a complaint or its own initiative, the Secretary, in consultation with the Secretary of Energy and the Secretary of Labor, shall request and review the payroll records of contractors and subcontractors engaged in the performance of any construction, repair, alteration, or maintenance with respect to a qualified nuclear power facility, and interview individuals employed by such contractors and subcontractors, to determine whether the requirements of paragraph (1)(A) and (1)(C) have been met.

''(3) ADMINISTRATION AND ENFORCEMENT.—With respect to the administration and enforcement of the standards in paragraph (1)(A) and (1)(C), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

''(f) USE OF QUALIFIED APPRENTICES.—

''(1) IN GENERAL.—All contractors and subcontractors engaged in the performance of construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility shall, subject to paragraph (2), ensure that not less than 15 percent of the total labor hours of such work be performed by qualified apprentices.

''(2) APPRENTICE-TO-JOURNEYWORKER RATIO.—The requirement under paragraph (1) shall be subject to any applicable requirements for apprentice-to-journeyworker ratios of the Department of Labor or the applicable State apprenticeship agency.

''(3) PARTICIPATION.—Each contractor and subcontractor who employs 4 or more individuals to perform construction, repair, alteration, or maintenance with respect to the qualified nuclear power facility shall employ 1 or more qualified apprentices to perform such work.

''(4) EXCEPTION.—Notwithstanding any other provision in this subsection, this section shall not apply in the case of a taxpayer who—

''(A) demonstrates a lack of availability of qualified apprentices in the geographic area of the construction, repair, alteration, or maintenance; and

''(B) makes a good faith effort, and its contractors and subcontractors make a good faith effort, to comply with the requirements of this subsection.

''(5) DEFINITIONS.—In this subsection:

''(A) LABOR HOURS.—The term 'labor hours'—

''(i) means the total number of hours devoted to the performance of construction, repair, alteration, or maintenance by employees of the contractor or subcontractor; and

''(ii) excludes any hours worked by—

''(I) foremen;

''(II) superintendents;

''(III) owners; or

''(IV) persons employed in a bona fide executive, administrative, or professional capacity (within the meaning of those terms in part 541 of title 29, Code of Federal Regulations).

''(B) QUALIFIED APPRENTICE.—The term 'qualified apprentice' means an individual who is an employee of the contractor or subcontractor and who is participating in a registered apprenticeship program, as defined in section 3131(e)(3)(B).

''(g) TERMINATION.—This section shall not apply to taxable years beginning after the earlier of—

''(1) the date as of which the Secretary determines that the aggregate of the credits allowed under subsection (a) to all taxpayers in all taxable years exceeds $6,000,000,000, or

''(2) December 31, 2030.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 38(b) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (32), by striking ''plus'' at the end,

(B) in paragraph (33), by striking the period at the end and inserting '', plus'', and

(C) by adding at the end the following new paragraph:

''(34) the zero-emission nuclear power production credit determined under section 45U(a).''.

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45U. Zero-emission nuclear power production credit.''.

(c) REPORT.—Not later than January 1, 2024, the Comptroller General of the United States shall submit to Congress a report with respect to the credits allowed for qualified nuclear power facilities under section 45U of the Internal Revenue Code of 1986 (as added by subsection (a)), which shall include—

(1) an evaluation of the effectiveness of the credits allowed under such section in regards to ensuring grid reliability while avoiding emissions of carbon dioxide, nitrogen oxides, sulfur oxides, particulate matter, and hazardous air pollutants;

(2) a quantification of the ratepayer savings achieved as a result of the credits allowed under such section; and

(3) any recommendations to renew or expand the credits allowed under such section.

(d) EFFECTIVE DATE.—This section shall apply to electricity produced and sold after December 31, 2020, in taxable years beginning after such date.

SA 2365. Mr. PETERS (for himself, Mr. ROUNDS, Mr. WARNER, and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In subtitle B of title I of division D, strike ''consultation'' each place it appears and insert ''coordination''.

In section 219A(d)(1) of the Federal Power Act (as added by section 40123 of subtitle B of title I of division D), strike ''consultation'' and insert ''coordination''.

SA 2366. Mr. LUJÁN (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 24220, add at the end the following:

(f) EFFECT.—Subject to paragraphs (1) and (2) of subsection (e), nothing in paragraph (3) of that subsection limits the applicability of a requirement to meet the deadline established under subsection (c).

SA 2367. Ms. WARREN (for herself, Mr. MARKEY, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 11101(a)(5), in the matter preceding subparagraph (A), strike ''(5) NATIONALLY SIGNIFICANT FREIGHT AND HIGHWAY PROJECTS.—For nationally significant freight and highway projects under section 117'' and inserting ''(5) PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.—For projects of national and regional significance under section 117''

Strike section 11110 and insert the following:

SEC. 11110. PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE.

(a) IN GENERAL.—Section 117 of title 23, United States Code, is amended to read as follows:

''§ 117. Projects of national and regional significance

''(a) ESTABLISHMENT.—The Secretary shall establish a projects of national and regional significance program under which the Secretary may make grants to, and establish multiyear grant agreements with, eligible entities in accordance with this section.

''(b) APPLICATIONS.—To be eligible for a grant under this section, an eligible entity shall submit to the Secretary an application in such form, in such manner, and containing such information as the Secretary may require.

''(c) GRANT AMOUNTS AND PROJECT COSTS.—

''(1) IN GENERAL.—Each grant made under this section—

''(A) shall be in an amount that is at least $25,000,000; and

''(B) shall be for a project that has eligible project costs that are reasonably anticipated to equal or exceed the lesser of—

''(i) $100,000,000; or

''(ii) in the case of a project—

''(I) located in 1 State or territory, 30 percent of the amount apportioned under this chapter to the State or territory in the most recently completed fiscal year; or

''(II) located in more than 1 State or territory, 50 percent of the amount apportioned under this chapter to the participating State or territory with the largest apportionment under this chapter in the most recently completed fiscal year.

''(2) LARGE PROJECTS.—For a project that has eligible project costs that are reasonably anticipated to equal or exceed $500,000,000, a grant made under this section—

''(A) shall be in an amount sufficient to fully fund the project, or in the case of a public transportation project, a minimum operable segment, in combination with other funding sources, including non-Federal financial commitment, identified in the application; and

''(B) may be awarded pursuant to the process under subsection (d), as necessary based on the amount of the grant.

''(d) MULTIYEAR GRANT AGREEMENTS FOR LARGE PROJECTS.—

''(1) IN GENERAL.—A large project that receives a grant under this section may be carried out through a multiyear grant agreement in accordance with this subsection.

''(2) REQUIREMENTS.—A multiyear grant agreement for a large project shall—

''(A) establish the terms of participation by the Federal Government in the project;

''(B) establish the amount of Federal financial assistance for the project;

''(C) establish a schedule of anticipated Federal obligations for the project that provides for obligation of the full grant amount by not later than 4 fiscal years after the fiscal year in which the initial amount is provided; and

''(D) determine the period of time for completing the project, even if such period extends beyond the period of an authorization.

''(3) SPECIAL RULES.—

''(A) IN GENERAL.—A multiyear grant agreement under this subsection—

''(i) shall obligate an amount of available budget authority specified in law; and

''(ii) may include a commitment, contingent on amounts to be specified in law in advance for commitments under this paragraph, to obligate an additional amount from future available budget authority specified in law.

''(B) CONTINGENT COMMITMENT.—A contingent commitment under this subsection is not an obligation of the Federal Government under section 1501 of title 31.

''(C) INTEREST AND OTHER FINANCING COSTS.—

''(i) IN GENERAL.—Interest and other financing costs of carrying out a part of the project within a reasonable time shall be considered a cost of carrying out the project under a multiyear grant agreement, except that eligible costs may not be more than the cost of the most favorable financing terms reasonably available for the project at the time of borrowing.

''(ii) CERTIFICATION.—The applicant shall certify to the Secretary that the applicant has shown reasonable diligence in seeking the most favorable financing terms.

''(4) ADVANCE PAYMENT.—An eligible entity carrying out a large project under a multiyear grant agreement—

''(A) may use funds made available to the eligible entity under this title or title 49 for eligible project costs of the large project; and

''(B) shall be reimbursed, at the option of the eligible entity, for such expenditures from the amount made available under the multiyear grant agreement for the project in that fiscal year or a subsequent fiscal year.

''(e) ELIGIBLE PROJECTS.—

''(1) IN GENERAL.—The Secretary may make a grant under this section only for a project that is a project eligible for assistance under this title or chapter 53 of title 49 and is—

''(A) a bridge project carried out on the National Highway System, or that is eligible to be carried out under section 165;

''(B) a project to improve person throughput that is—

''(i) a highway project carried out on the National Highway System, or that is eligible to be carried out under section 165;

''(ii) a public transportation project; or

''(iii) a capital project (as defined in section 22901 of title 49), to improve intercity rail passenger transportation; or

''(C) a project to improve freight throughput that is—

''(i) a highway freight project carried out on the National Highway Freight Network established under section 167 or on the National Highway System;

''(ii) a freight intermodal, freight rail, or railway-highway grade crossing or grade separation project; or

''(iii) within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility.

''(2) LIMITATION.—

''(A) CERTAIN FREIGHT PROJECTS.—Projects described in clauses (ii) and (iii) of paragraph (1)(C) may receive a grant under this section only if—

''(i) the project will make a significant improvement to the movement of freight on the National Highway System; and

''(ii) the Federal share of the project funds only elements of the project that provide public benefits.

''(B) CERTAIN PROJECTS FOR PERSON THROUGHPUT.—Projects described in clauses